

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE		PAGE OF PAGES 1 4		
2. AMENDMENT/MODIFICATION NO. 01		3. EFFECTIVE DATE 3/12/2009		4. REQUISITION/PURCHASE REQ. NO		5. PROJECT NO. (If applicable)	
6. ISSUED BY USAID/RSC/Regional Contracting Office Bank Center, Granite Tower, 4 <sup>th</sup> Floor Saabadsag ter 7-9, 1944 Budapest, HUNGARY		CODE		7. ADMINISTERED BY (IF OTHER THAN ITEM 6)		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State, and Zip Code)				<input checked="" type="checkbox"/>		9A. AMENDMENT OF SOLICITATION NO. 168-09-008	
						9B. DATED (SEE ITEM 11) February 20, 2009	
				<input type="checkbox"/>		10A. MODIFICATION OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 11)	
CODE:		FACILITY CODE:					

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

☒ The above numbered, solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers ☐ is extended ☒ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods:

(a) By completing Items 8 and 15, and returning 01 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers, FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If Required)	
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO., AS DESCRIBED IN ITEM 14</b>	
<input type="checkbox"/>	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify Authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103 (b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

**E. IMPORTANT:** Contractor ☐ is NOT ☐ is required to sign this document and return \_\_\_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.

The purpose of this solicitation amendment No. 1 is to respond to the questions received regarding this Solicitation,

Except as provided herein, all terms and conditions of the document referenced in Item 9A, remain in full force and effect.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER		16A. NAME AND TITLE OF CONTRACTING OFFICER Clemmt J. Bucher Contracting Officer	
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA  (Signature of Contracting Officer)	16C. DATE SIGNED 3-72-09

- Q.1** On page 11, Section C.5. The RFP states that the Contractor shall partner with one or more Bosnian organizations for the implementation of component three of the project “Bolster Public Confidence in the Rule of Law.” Please clarify whether it is preferred to propose the partner organization(s) during the proposal stage or whether USAID would prefer that these partnerships be established after award.
- A.1 Partner organizations should be proposed as part of the technical proposal
- Q.2** Does USAID have a preferred grant recipient for the Partnership with Local Organization for Component Three, or is it the responsibility of the contractor to determine an appropriate organization with which to work? (Section C.5, Cross Cutting Principles, p. 11.)
- A.2 It the responsibility of the contractor to determine an appropriate organization with which to work
- Q.3** Is it contemplated that the JSDDP II project will conduct facilities improvements and/or provide equipment and commodities to prosecution offices or other counterparts? If so, can USAID provide an estimated dollar amount for these procurements?
- A.3 It is not contemplated that the JSDDP II project will conduct facilities improvements of prosecutors’ offices or other counterparts. JSDDP II should consider providing equipment and commodities to prosecutors’ offices in the amount not to exceed \$300,000 over the lifetime of the project.
- Q.4** Page 12, Section C.6. USAID requests a mid-term evaluation and financial audit of the project to be carried out by external consultants during the third year of project implementation. Are Offerors expected to budget for these costs under JSDDP II?
- A.4 Offerors are not expected to budget for mid-term evaluation and financial audit costs.
- Q.5** Page 51, L.2 (e) (2) The RFP states that each sheet of data the contractor wishes to restrict must contain the following legend: “Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.” Please confirm that including the legend on the title page, as in L.2 (e) (2), and adding that “The data subject to this restriction include all pages of this document” is an acceptable substitute.
- A.5 This is an acceptable substitute.
- Q.6.** Page 54, Section L.7 (c) mentions reply to case studies as an attachment. Please confirm that no case studies are required under this submission.
- A.6 This is to confirm that no case studies are required under this submission.
- Q.7** Page 56, 4. Past Performance under Local Component Leaders. The RFP indicates that the Offeror (including all sub-partners) must provide past performance information for itself and its partners describing their past performance for up to five similar contracts/task orders. Please confirm that Offeror can provide past performance information for up to five similar contracts/task orders and that all sub-partners can provide past performance information for up to five similar contracts/task orders.

- A.7 This is to confirm that Offerors can provide past performance information for up to five similar contracts/task orders and that all sub-partners can provide past performance information for up to five similar contracts/task orders.
- Q.8 Page 64, Section M.2.1, IV. The RFP requests a record of actual and proposed use of small business concerns as subcontractors in USG contracts. Please clarify whether USAID would like the Offeror to focus on project similar in scope to JSDP II and during the last three years?**
- A.8 Please submit a record of actual and proposed use of small business concerns as subcontractors in USG contracts during the last three years irrelevant to the nature of the project
- Q.9. Please confirm that the Offeror can submit one copy of the most recent SF294s for the past three years in hardcopy format as an annex to the original proposal only, and not also to subsequent copies of the volume. If so, please indicate whether USAID would prefer the SF294s to be included in the cost volume or the technical volume.**
- A.9 Offeror can submit one copy of the most recent SF294s for the past three years in hardcopy format as an annex to the original cost proposal.
- Q.10 Please let us know if any property will be transferred to this project and if so please provide a list of property that will be transferred to the successful Offeror.**
- A.10 No property will be transferred to this project.
- Q.11 The RFP states that the current maximum salary rate is \$158,500 per year. (Section H.7, Additional Requirements for Personnel Compensation, p. 29.) According to the website of the U.S. Office for Personnel Management (<http://www.opm.gov/oca/09tables/html/es.asp>), as of January 2009, the rate has been increased to \$162,900. Can USAID please confirm the current maximum salary rate?**
- A.11 This is to confirm that as of January 2009 the current maximum salary rate is \$162,900
- Q.12 Can USAID please confirm that the Attachment J.6 entitled "Budget Line Item Definitions and Illustrations" (Section L.9, Instructions for the Preparation of the Cost Proposal, p. 58) is Attachment 4 to the RFP?**
- A.12 This is to confirm that "Budget Line Item Definitions and Illustrations" referred to in Section L.9, Instructions for the Preparation of the Cost Proposal, p. 58) is Attachment 4 to the RFP?
- Q.13 Is it possible to receive a copy of the full local compensation plan? If not, can USAID please confirm whether the local compensation plan cap is 80,123 (KM) local currency?**
- A.13 For a synopsis of the local compensation plan please see section F.7 of the RFP. Offerors are expected to abide by these ranges for all proposed local salaries. The local compensation plan cap is 80,123 (KM) local currency.
- Q.14 Section L.7, Instructions for the Preparation of the Technical Proposal, includes a limitation of 35 pages for the technical proposal. Please confirm whether Institutional Capability should be included**

**Q.14 Section L.7, Instructions for the Preparation of the Technical Proposal, includes a limitation of 35 pages for the technical proposal. Please confirm whether Institutional Capability should be included in this 35-page limit or whether it can be included as part of an Annex?**

A.14 This is to confirm that Institutional Capability Information shall be included in the 35-page limit.

**Q.15 Section L.9 Instructions for the Preparation of the Cost Proposal, does not mention the inclusion of USAID Forms 1420-17, although this is included as Attachment 2. Does USAID wish the contractor to include Forms 1420-17 for all named individuals, only Key Personnel, including local proposed staff, or US expatriate staff only? Please advise.**

A.15 Offerors shall include Forms 1420-17 for all identified local and expatriate staff as part of their cost proposals.

**Q.16 Would USAID reconsider the methods of proposal submission, and accept electronically submitted proposals by the due date, with a hard copy to follow?**

A.16 USAID shall not reconsider the methods of proposal submission. Electronically submitted proposals shall not be accepted. Hard copies /CD-ROM must be received in RCO/Budapest no later than the specified date/time.

**Q.17 Section L.6. General Instructions to offerors includes a requirement that the offeror provide a 3.5" diskette containing one complete copy of the entire proposal compatible with a MS Windows environment. Would it be possible to provide a CD Rom instead?**

A.17 Offerors are allowed to submit the proposal on CD-ROM(s) as opposed to a 3.5 diskette in addition to the original paper copies.

**Q.18 The RFP does not specify a format for the electronic files. Please confirm that the Offeror can submit the proposal in Adobe PDF.**

A.18 Offerors can submit the CD-ROM proposals in Adobe PDF.

**Q.19 Would USAID consider allowing A4 size paper for the technical proposal submission ?**

A.19 Offerors may submit their proposals on either A 4 size paper or letter size paper.

**Q.20 Section L.7 9(c) specifies "10 characters per inch" size for the narrative text; however, using this character per inch ratio would yield font size 16 in typical font types such as Times New Roman or Arial, making the document difficult to read. Would USAID consider specifying the exact font type and size (e.g. Times New Roman 11 for narrative, Arial Narrow 10 for charts and tables, etc) to avoid potential confusions?**

A.20 Offerors may use any font size and font type they desire